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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,524	11/07/2001	Randolph E. Crutchfield	INTL-0690-US (P13221)	4270

7590 06/21/2005
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EXAMINER

GRIER, LAURA A

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,524

Applicant(s)

CRUTCHFIELD, RANDOLPH E.

Examiner

Laura A. Grier

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/4/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 34 is objected to because of the following informalities: line 2 recites "... a cassette player...". --" the cassette player " – is the suggested correction. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. *Claims 28-30* are rejected under 35 U.S.C. 102(e) as being anticipated by Adams, U. S. Patent No. 6594366.

Regarding **claim 28**, Adams discloses a headset/radio auto sensing jack (figures 1-3). Adams' disclosure comprises an electronic device (50) with a sensing circuit (figure 3 - 201/210) for sensing low or high impedance from a headphone (col. 4, lines 16-45), and figure 3), which reads on a detector to detect a selectively variable impedance in a remote device, and the connection of the plugs (106/108) of the headphones to the electronic device, which includes communication controller and an AM/FM radio unit (col. 3, lines 5-8, and 30-33), reads on an electrical coupling to an audio signal from the digital audio player to the detector.

Regarding *claim 29*, Adams discloses everything claimed as applied above (see claim 28). Adams further discloses audio output via the headphones (figure 1 - 101/103) and/or the speaker (126) on the electronic device, where the sensor is connectable to the headphones when plug into the electronic device for audio output.

Regarding *claim 30*, Adams discloses everything claimed as applied above (see claim 28). Adams further discloses audio output via the headphones (figure 1 - 101/103) when plug into the electronic device for audio output (figure 3), which reads the audio output as a headphone output (col. 2, lines 30-39).

Regarding *claim 31*, Adams discloses everything claimed as applied above (see claim 28). Adams further discloses connection of the plugs (106/108) of the headphones to the electronic device which includes communication controller and an AM/FM radio unit (col. 3, lines 5-8, and 30-33), wherein upon plug being detected the electronic device functions accordingly, which on a detector and implementing audio player controls in response thereto.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 32-37 are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent No. 5307326.

Regarding claims 32, Osawa discloses a cassette adapter for signal playback apparatus. Osawa disclosure comprises an impedance adjusting circuit (11), which indicates a selectively variable impedance; and control signal processing circuit (10) for providing a control signal to the impedance adjusting circuit of a cassette player (2), which indicates a control – figures 1 and 2, col. 3, lines 43-53, col. 2, lines 5-11.

Regarding claim 33, Osawa discloses everything claimed as applied above (see claim 32).
Osawa discloses a cassette tape (figures 1-2 and reference 4A), which reads on the device.

Regarding claim 34, Osawa discloses everything claimed as applied above (see claim 32).
Osawa discloses detection means for detecting the operations of the cassette player and provides thereto for controlling the impedance (col. 2, lines 5-11 and col. 3, lines 28-31, 43-53), which reads on the sensor.

Regarding claim 35, Osawa discloses a cassette adapter for signal playback apparatus.
Osawa disclosure comprises an impedance adjusting circuit (11) – col. 3, lines 43-53, 64-68 and col. 4, lines 3-11, which indicates varying the impedance.

Regarding claim 36, Osawa discloses everything claimed as applied above (see claim 35).
Osawa discloses the detect of an operational state of a cassette player enabling a control signal to be provided via the impedance adjusting circuit, which indicates receiving a cassette player command and translating the command for varying impedance - col. 1, lines 55-68 and col. 2, lines 1-11 and col. 3, lines 43-53, 64-68.

Regarding claim 37, Osawa discloses everything claimed as applied above (see claim 35).
Osawa further discloses that performance on the invention may be utilized in a digital audio tape recorder of the like (col. 5, lines 57-61), which indicates a remote device in the form of a digital audio player.

Response to Arguments

5. Applicant's arguments filed 5/27/04 have been fully considered but they are not persuasive.

The applicant argues that Adams fails to disclose detecting a selective variable impedance in a remote device (claim 28), wherein the impedance of Adams are fixed. The impedance values of the remote devices (headphones of stereo and telephony headset) of Adams are fixed, however, the sensors of Adams detect a high and/or low impedance between the devices or within a device, wherein if the impedance of both channels is low, it is determined that the remote device is headphones for stereo and if the impedance is high, the headphones are connected, and if the impedance is low in only one channel, then the device is a telephony headset, wherein the telephone headset consists of one channel having an 8-ohm channel (low impedance) and when the microphone has a high impedance. Thus, Adams' sensors alternately senses the impedance of the stereo headphone (which is same for both channels) and telephony headset (the impedance is different for the receiving part of the headset and output part of the headset, wherein when the telephony headset is in use the for receiving and output different impedances are being utilized, which indicates detecting a selective variable impedance. Thus, the Adam rejection is maintained for claims 28-30.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

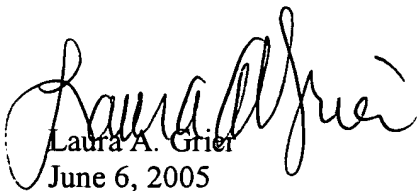
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A. Grier whose telephone number is (571) 272-7518. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh N. Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Laura A. Grier
June 6, 2005